

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

Abdirizak Abdiyow

(Enter above the full name of the plaintiff(s), including prisoner number, in this action. If you cannot list all plaintiffs in the space provided, please write "see attached" and list all names on an additional page.)

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December 26, 2024 11:36 AM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: KB SCANNED BY: lm / 12/26

1:24-cv-1349

Robert J. Jonker
U.S. District Judge

v. "Christopher Becker," "Amanda Johnson,"
"Robert Zabriskie," "Keith Hefner," "City of
Grand Rapids"

(Enter above the full name of the defendant(s) in this action. If you cannot list all defendants in the space provided, please write "see attached" and list all names on an additional page.)

COMPLAINT
(Print Clearly)

I. Previous Lawsuits

CAUTION: The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in federal courts without prepayment of the civil action filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$405.00 filing fee regardless of whether your complaint is dismissed.

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☐ No ☒
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.
1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.
- _____
2. Is the action still pending? Yes ☐ No ☐
- a. If your answer was no, state precisely how the action was resolved: _____
- _____
3. Did you appeal the decision? Yes ☐ No ☐
4. Is the appeal still pending? Yes ☐ No ☐
- a. If not pending, what was the decision on appeal? _____
- _____
5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes ☐ No ☐
- a. If so, explain: _____
- _____

II. Parties

A. Plaintiff(s)

Enter your name, place of confinement, address, and place of confinement during the events described in the complaint in the blanks below. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Abdirizak Abdiyow
 Place of Present Confinement Kent County Correctional Facility
 Address 703 Ball Avenue N.E., Grand Rapids, MI, 49503
 Place of Confinement During Events Described in Complaint G.R.P.D. And K.C.C.F. / State of Michigan

B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. Provide the same information for each additional defendant. If there are more than six defendants attach extra sheets as necessary.

Name of Defendant #1 "Christopher Becker"
 Position or Title Prosecuting Attorney
 Place of Employment Kent County Prosecutor's office
 Address 82 Ionia N.W., Suite #450, Grand Rapids, MI, 49503
 Official and/or personal capacity? Personal

Name of Defendant #2 "Amanda Johnson"
 Position or Title Deputy / Detective
 Place of Employment Grand Rapids Police Department
 Address 1 Monroe Center N.W., Grand Rapids, MI, 49503
 Official and/or personal capacity? Personal / Official

Name of Defendant #3 "Robert Zabriskie"
 Position or Title Deputy / Detective
 Place of Employment Grand Rapids Police Department
 Address 1 Monroe Center N.W., Grand Rapids, MI, 49503
 Official and/or personal capacity? Personal / Official

Name of Defendant #4 "Keith Hefner"
 Position or Title Sergeant
 Place of Employment Grand Rapids Police Department
 Address 1 Monroe Center N.W., Grand Rapids, MI, 49503
 Official and/or personal capacity? Personal / Official

Name of Defendant #5 "City of Grand Rapids"
 Position or Title Municipal Government Entity
 Place of Employment Grand Rapids Administration Building
 Address 1 Monroe Center N.W., Grand Rapids, MI, 49503
 Official and/or personal capacity? Official / Personal

III. Statement of Claim

State here the **facts** of your case. Describe how each defendant is personally involved. Include also the names of other persons involved, dates and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. **Do not include unrelated claims.** Use as much space as you need. Attach extra sheets if necessary.

Claim

#1 Between August 17th, 2023 until November 27th, 2023 Detectives "Amanda Johnson", "Robert Zabriskie", And Sergeant "Keith Hefner" Acted Under Color of Law Violating My 14th Amendment Rights During The Investigation And Administrative Decision To Submit Felony Charges With Malice Or No Interest In Justice To "Becker" For Charges of First Degree Murder And Weapons offenses with The Knowledge That Involved Suspects Were Justified For Their Actions, And No Probable Cause Existed For Crimes Charged. Said Acts were Committed Due To "Grand Rapids" Police Department Policy And/or Custom To Charge Suspects For Open Murder On Peace Officer's Despite What Investigations of The Allegations Proved. Such Actions Resulted In My Person Being Arrested, Me Being Prosecuted, Me Being Currently Detained, Defamation of My Character, And Mental/Emotional Distress Inflicted. The Murder Charged Was Dismissed In My Favor.

Claim

#2

"Christopher Becker" Acted Under Color OF Law Violating My 14th Amendment Rights When He Investigated, Coerced witnessess, Then Filed Charges Against me With Malice Or Interest In Justice Knowing No Probable Cause Or Elements of The Charged Crimes Existed. Said Acts were Committed Before Approval of Charges on November 27th, 2024 Which lead To My Arrest, Resulted In Defamation of My Character Through Multiple News Stations, And Me Prosecuted on Crimes That Are Unlawful Or Beyond The Processes Scope Throughout This Current Detention Even Though The First Degree Murder Charge was Dismissed on June 13th, 2024. Such Acts Has Also caused Physical Injuries, Lost of Wages, And Emotional Distress. "Becker's" Acts Constitutes A Waiver of Absolute Immunity Due To His Investigative And Administrative Acts.

IV. Relief

State briefly and precisely what you want the court to do for you.

I Am Seeking Reasonable Compensatory, Consequential, Nominal, And Punitive Monetary Relief. InJunctive Relief To Bar Prosecution's For The Same offense And offenses Resulting From The Dismissed Offense.

Jury Trial Demanded

V. Notice to Plaintiff Regarding Consent

In accordance with the provisions of 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73, you are hereby notified that the United States magistrate judges of this district court may, upon your consent, conduct any or all proceedings in this case, including a jury trial and entry of a final judgment. If you consent, any appeal from a judgment entered by a magistrate judge shall be taken directly to the United States Court of Appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

Magistrate judges have greater flexibility in their schedules than district judges, who have heavy criminal caseloads that take priority over civil trials. Accordingly, the magistrate judges are generally able to schedule prisoner civil rights cases for jury trial much sooner, and they are able to provide firm trial dates. Magistrate judges are experienced trial judges who handle a great number of prisoner civil rights cases.

Your decision to consent to the dispositive jurisdiction of a United States magistrate is entirely voluntary. If you do not consent to a magistrate judge, the case will be randomly assigned to a district judge. The magistrate judge already assigned to this case would continue to decide all pretrial matters and would handle all dispositive motions by report and recommendation.

Please check **ONE** box below to indicate whether you voluntarily consent to proceed with a United States magistrate judge or if you would instead prefer that the case be assigned to a district judge.

☒ I hereby voluntarily consent to the United States magistrate judge conducting all proceedings in this case, including entry of a final judgment and all post-judgment matters.

☐ I request that this case be assigned to a district judge.

12-21-2024
Date

[Signature]
Signature of Plaintiff

NOTICE TO PLAINTIFF(S)

The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.

ID# 00357973

NAME: Abdirizak Abdiyow
KENT COUNTY CORRECTIONAL FACILITY
703 BALL AVENUE N.E.
GRAND RAPIDS, MI 49503

GRAND RAPIDS MI 493

24 DEC 2024 PM 6 L

Office of The Clerk
U.S. District Court
399 Federal Building
110 Michigan N.W.,
Grand Rapids, MI, 49503



LEGAL
MAIL

49503-236399

